

RETALIATION PROTECTION

Employees who in good faith report improper governmental action, or who cooperate in a whistleblower investigation, are protected from retaliation.

Retaliation is prohibited

County employees are prohibited from retaliating against any employee, who in good faith and in accordance with the law, reports improper governmental action. "Retaliation" means any unwarranted, negative change in an employee's employment status, terms or conditions, and includes threats or attempts. Retaliation also includes hostile actions by one employee towards another that are not discouraged by management.

Reporting retaliation

Contact the Ombudsman's Office if you believe you have suffered retaliation. You must submit a signed written complaint within six months of when the retaliation occurred (or when you reasonably should have known of the retaliation), and file it with the Ombudsman's Office. The Ombudsman has up to 135 days to complete retaliation investigations.

This brochure summarizes the Whistleblower Protection Code. The entire law is available on our website at www.kingcounty.gov/ombudsman. Copies are also available by contacting the Ombudsman's Office.

The Ombudsman's Office also investigates other citizen and employee complaints about the operations of King County government, including alleged violations of the King County Employee Code of Ethics and the Lobbyist Disclosure Code. (See King County Code sections 2.52, 3.04, and 1.07).

Complaint forms are available online at:
www.kingcounty.gov/ombudsman.

Please contact our office before submitting complaint forms, so that we may provide additional information and guidance.

Alternate formats available upon request.

King County Ombudsman's Office
516 Third Avenue Suite W-1039 • Seattle, WA 98104
206.205.6338 V/TTY • 1.800.325.6165 ext. 5-6338
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King County
Ombudsman

Whistleblower
Protection



King County

An independent agency of the
Metropolitan King County Council

King County Whistleblower Protection Code (King County Code 3.42)



King County encourages employees to come forward if they see significant wrongdoing by other county employees, which the Whistleblower Protection Code calls “*improper governmental action*.” Reporting allows problems to be identified and corrected, and the Whistleblower Protection Code creates a process for making such reports.

The Whistleblower Protection Code also protects employees from “*retaliation*” for reporting or cooperating in investigations of improper governmental action.

REPORTING IMPROPER GOVERNMENTAL ACTION

“Improper governmental action” means any action by a county employee while performing official duties that also meets one of the following criterion:

- violates county, state or federal law or rule, or;
- constitutes an abuse of authority, or;
- constitutes gross mismanagement, or;
- creates a substantial danger to the public health or safety, or;
- results in a gross waste of public funds, or;
- prevents the dissemination of scientific opinion or alters technical findings without scientifically valid justification.

Who may report

Every county employee has the right to report, in good faith, any information concerning an improper governmental action.

Where to report

Where to report varies depending upon the type of improper governmental action. Employees are encouraged to consult the Ombudsman’s Office, which will assist them in determining who is the proper official to receive their report.

What to expect

If a complaint meets the definition of improper governmental action, an investigation will be initiated, and the employee can expect to receive:

- A. A written report within thirty days of receipt of the complaint. This report may be preliminary or final. A preliminary report will include a summary of the investigation to date and of matters for further investigation.
- B. A final report within one year of receipt of the complaint, with findings as to whether improper governmental action occurred. If the final report concludes that there was improper governmental action, it will include the agency’s action plan and a reasonable timeline for completing any corrective actions.
- C. Some complaints may be resolved by mutual agreement of the employee and agency after mediation, without the need for full investigation and formal findings. If mediation does not result in resolution, the Ombudsman may still investigate and make findings.

Limitations

Improper governmental action does not include violations of anti-discrimination laws or collective bargaining agreements. County actions are not improper governmental action solely because an employee disagrees with a policy or decision. Employees do not have a right to report privileged or legally protected information. The report of an employee’s own improper governmental action does not protect the employee from discipline.